

## **TITLE 29**

### **State Government**

#### **State Offices Created by Constitution**

#### **CHAPTER 25. STATE DEPARTMENT OF JUSTICE**

##### **Subchapter II. Consumer Protection**

#### **§ 2519. Consumer protection advisory councils.**

(a) Council on Consumer Protection. --

(1) The Council on Consumer Protection is established and shall serve in an advisory capacity to the Director of Consumer Protection and shall consider matters relating to the protection and guidance of consumers and businesses and such other matters as may be referred to it by the Governor, Secretary of the Department or the Director of Consumer Protection. The Council may also study, research, plan and advise the Director, the Secretary and the Governor on matters it deems appropriate to enable the Division to function in the best possible manner.

(2) The Council on Consumer Protection shall be composed of 7 members, appointed by the Governor. The terms of the members shall be staggered. The first 2 appointees shall serve for a term of 1 year, the next 2 appointees shall serve for a term of 2 years and the next 3 shall serve for a term of 3 years. Thereafter, all new appointees shall serve for a term of 3 years.

(3) At least 3, but no more than 4, members of the Council shall be affiliated with 1 of the major political parties, and at least 2, but no more than 3, members shall be affiliated with the other major political party; provided, however, that there shall be no more than a bare majority representation of 1 major political party over the other major political party. Any person who declines to announce a political affiliation shall also be eligible for appointment as a member of the Council.

(4) Members of the Council shall serve without compensation, except that they may be reimbursed for reasonable and necessary expenses incident to their duties as members of the Council.

(5) A Chairperson of the Council shall be chosen by the members of the Council from among its members and shall serve in that capacity for a term of 1 year and shall be eligible for reelection.

(6) Any appointment pursuant to this subsection to replace a member whose position becomes vacant prior to the expiration of a term shall be filled only for the remainder of that term.

(7) The Council shall meet a minimum of 3 times during a calendar year. Any advisory recommendation to the Director from the Council shall within 30 days from receipt of the advisory recommendation be considered and/or discussed by the Director and must be reflected either in memoranda or in the business minutes of the Division.

(b) Council on Manufactured Housing. --

(1) The Council on Manufactured Housing shall advise the Division on matters relating to mobile home owners and tenants, manufactured housing and mobile home parks. The Council may consider matters referred to it by the Division, and may, on its own motion, consider any issue or matter within its field of expertise. The Council shall report directly and exclusively to the Division. All funding for the Council shall be determined by the Division.

(2) The Council on Manufactured Housing shall be composed of 14 members, 12 of whom shall be appointed by the Governor: Six members representing the manufactured housing industry; and 6 members representing persons who live in mobile home parks, both those who own the mobile homes in which they reside and those who do not own the mobile homes in which they reside (at least 1 from each county). In the event a member ceases to be an owner or employee of a mobile home park, or a resident of a mobile home park, such person's membership shall cease upon the occurrence of such event. In addition to the 12 voting members appointed by the Governor,

a representative of the Division appointed by the Director, and a representative of the Department of Justice, appointed by the Attorney General, shall serve as nonvoting ex officio members.

(3) Each member shall serve for a term for 2 years, and may successively serve for 1 additional term; provided, however, that where a member was initially appointed to fill a vacancy, such member shall successively serve for only 1 additional full term. Any person appointed to fill a vacancy on the Council shall hold office for the remainder of the unexpired term of the former member.

(4) Members of the Council shall serve without compensation except that they may be reimbursed for reasonable and necessary expenses incident to their duties as members of the Council. A Chairperson of the Council shall be chosen by members of the Council from among its members, shall serve in that capacity for a term of 1 year, and shall be eligible for reelection. (29 Del. C. 1953, § 8614; 57 Del. Laws, c. 583, § 1; 64 Del. Laws, c. 2, § 4; 65 Del. Laws, c. 445, §§ 1-4; 68 Del. Laws, c. 149, § 9; 69 Del. Laws, c. 291, § 98(c); 70 Del. Laws, c. 186, § 1; 71 Del. Laws, c. 138, § 25.)

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